

Receiver has served the Subpoena to Testify at a Deposition attached hereto as "Exhibit A" on the following entity by either facsimile, email, or United States Mail, with adequate postage affixed thereto, addressed as follows:

W. Shawn Murnahan, Esq.
Securities and Exchange Commission
950 East Paces Ferry Road, N.E., Suite 900
Atlanta, GA 30326
murnahanw@sec.gov

Robert J. Waddell, Jr.
McGuire Woods LLP-GA
1230 Peachtree Street, N.E.
Suite 2100, Promenade II
Atlanta, GA 30309
404-443-5500
Fax: 404-443-5599
Email: rwaddell@mcguirewoods.com

Mount Vernon Bank
c/o Donald M. Thigpen, Registered Agent
2109 East First Street
Vidalia, GA 30474

Brown Rountree, PC
c/o Charles H. Brown, Esq.
26 North Main Street
Statesboro, GA 30459
Fax: 912-764-2251

Dated: October 23, 2013.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: /s/ Paul E. Vranicar
John M. Hamrick
Georgia Bar No. 322079
Paul E. Vranicar
Georgia Bar No. 288926

1201 West Peachtree Street, N.E.
One Atlantic Center, Suite 2000
Atlanta, Georgia 30309-3453
Phone: 404 817 8500
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john.hamrick@hklaw.com
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DAMIAN & VALORI LLP

Kenneth Dante Murena
Florida Bar No. 147486
(admitted pro hac vice)

1000 Brickell Avenue
Suite 1020
Miami, FL 33131
Phone: 305 371 3960

EXHIBIT A

AO 88A (Rev 06/09) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Georgia

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

AUBREY LEE PRICE, et al.

Defendant

Civil Action No. 12-CV-2296-TCB

(If the action is pending in another district, state where:

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Dan McSwain, c/o Simon Malko, Esq.
Morris, Manning & Martin, LLP, 1600 Atlanta Financial Center, 3343 Peachtree Road, NE, Atlanta, GA 30326

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is *not* a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: 1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, GA 30326

Date and Time: 11/07/2013 10:30 am

The deposition will be recorded by this method: Court Reporter

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

All documents dated prior to January 1, 2011, that relate in any way to the acquisition by PFGBI, LLC of the majority shares of Montgomery County Bankshares, Inc.

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date:

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party)

Melanie E. Damian, as Receiver for the Estate of Aubrey Lee Price, who issues or requests this subpoena, are:
Guy F. Giberson, P.A.
Damian & Valori LLP, 1000 Brickell Avenue, Suite 1020, Miami, FL 33131
(305) 371-3960 ggiberson@dvllp.com

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Civil Action No. 12-CV-2296-TCB

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* Dan McSwain
was received by me on *(date)* .

☒ I served the subpoena by delivering a copy to the named individual as follows:

Via E-mail on smalko@mmmlaw.com

on *(date)* ; or

☐ I returned the subpoena unexecuted because:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ 62.70 .

My fees are \$ for travel and \$ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: .

Server's signature

Guy F. Giberson, P.A.
Printed name and title
Damian & Valori LLP
1000 Brickell Avenue, Suite 1020
Miami, FL 33131

Server's address

Additional information regarding attempted service, etc:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via U.S. Mail, or e-mail (where indicated) upon:

W. Shawn Murnahan, Esq.
Securities and Exchange Commission
950 East Paces Ferry Road, N.E., Suite 900
Atlanta, GA 30326
murnahanw@sec.gov

Aubrey Lee Price
4616 Rainwood Circle
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/s/ Paul E. Vranicar
Paul E. Vranicar, Esq.
Georgia Bar No. 288926

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